IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.394 OF 2005

Shri.Vijay Kumar Munnalal. ... Petitioner.

vs.

M/s.Aardee Syntex Pvt. Ltd. .... Respondent.

Mr.Mohan Dharamdas i/b. Dharam & Co. for Petitioner.

CORAM: D.K.DESHMUKH,J.

DATED: 17th January, 2006

P.C.:-

1. The petitioner challenges the Award made by the Arbitral Tribunal constituted by the Hindustan Chamber of Commerce. According to the Award, notice of hearing before the learned Arbitrator was sent to the petitioner. The petitioner's case is that he did not receive the notice because he had closed his business and shifted his residence to some other place. No document except the intimation given to the Income Tax officer that he has closed the business, has

been produced. The notice to the Income Tax Department shows that the petitioner has closed the business it does not show that he had shifted from the place where he was carrying on the business. It also does not show that the petitioner had shifted his residence to some other place. The bare averments made in the petition without any document produced showing that the petitioner has shifted from the place from which he was carrying on the business, the statement cannot be accepted. The petition has no substance. The petition is rejected.